



PTO/SB/31 (04-05)

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

12873/04735

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]
on 2/13/06

Signature

Typed or printed name Karen Buzinski
name

In re Application of

James H. Molnar

Application Number

10/762,977

Filed

01/22/2004For WHEELCHAIR SUSPENSION

Art Unit

3618

Examiner

Kelley E. Campbell

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____☒ A check in the amount of the fee is enclosed.

02/16/2006 BABRAHA1 00000011 10762977

☐ Payment by credit card. Form PTO-2038 is attached.

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☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 03-0172. I have enclosed a duplicate copy of this sheet.☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)☒ attorney or agent of record.Registration number 37,415☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. _____

Nenad Pejic
Signature

Nenad Pejic

Typed or printed name

216-622-8835

Telephone number

February 13, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Garen Buzinski

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Customer Number

24024



IN THE UNITED STATES PATENT OFFICE

Applicant : James H. Molnar
Title of Invention: : **WHEELCHAIR SUSPENSION**
Serial No. : 10/762,977 Filing Date : January 22, 2004
Group Art Unit : 3618 Confirmation No. : 6112
Examining Attorney : Kelly E. Campbell
Attorney Docket No. : 12873/04735

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF NOTICE OF APPEAL

Please find attached a copy a Notice of Appeal in response to the outstanding Office action dated August 11, 2005 along with a check in the amount of \$500. The Examiner has indicated that the Terminal Disclaimer recently submitted to the U.S. Patent Office has resulted in allowance of the above-identified application. However, since a Notice of Allowance has not yet been received, the attached Notice of Appeal is being filed to avoid abandonment of the above-identified patent application. Also, since no advisory action has been issued in response to the final response to the Office action, which was filed within 2 months of the mailing date of the Final Office action, no extension of time or the accompanying fee is attached. However, if the Patent Office feels that additional fees for an extension of time are due, please charge any fee deficiencies and credit any overpayments to Deposit Account No. 03-0172, order number 12873/04735.

Respectfully submitted,

Date: Feb 13, 2006

By: *Nenad Pejić*
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